

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Danny C. Bowman, et al.

Serial No.: 09/737,185

Filed: December 14, 2000

Confirmation No.: 9139

For: PAPERLESS CHAIN OF CUSTODY EVIDENCE FOR LAB SAMPLES (Appeal No. 2009-2011) (Appeal No 2009-014382)

Examiner: Yelena G. Gakh

Art Unit: 1797

Commissioner for Patents

P.O. Box 1450

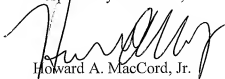
Alexandria, VA 22313-1450

Sir:

RESUBMITTAL FOR REQUEST FOR REMAND

Enclosed is a copy of a Request for Remand filed on September 21, 2009, by facsimile. Checking PAIR as of November 9, 2009, no indication of receipt and entry for this Request for Remand is listed in on the Image File Wrapper. Accordingly, in order to minimize the likelihood of a misplaced paper at the Patent Office, this is being resubmitted with a renewed request that the application be remanded to the examiner to act on the amendment filed on June 24, 2009.

Respectfully submitted,



Howard A. MacCord, Jr.

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Date: November 10, 2009

File No.: 2552-011

*** TX REPORT ***

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TELEFAX COVER SHEET

TO: Board of Patent Appeals & Interferences	FROM: Howard A. MacCord, Jr. / Reg. No. 28,639
ORGANIZATION/FIRM: U.S. Patent & Trademark Office	DATE: September 21, 2009
FAX NUMBER: (571) 273-0052	RECIPIENT'S PHONE NUMBER:
TOTAL # OF PAGES (Including Cover): 3	YOUR E-MAIL ADDRESS:
RE: Appeal No. 2009-014382 - Application: 09/737,185 - Appellant: Danny Charles Bowman et al - Our File No. 2552-011	

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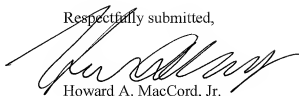
Sir:

REQUEST FOR REMAND

It is noted that a docketing notice for this application has been entered dated August 24, 2009, and assigned the above-referenced appeal number. This application has been before the Board of Appeals previously as Appeal No. 2009-2011, and a Board Decision of April 20, 2009, remanded the application to the examiner. At page 5 of the remand order, the Board said "if the examiner files a supplemental examiner's answer, the appellants must respond by either requesting reopening the prosecution before the examiner, or by filing a reply brief to maintain the appeal. Subsequently, on May 11, 2009, the examiner issued a supplemental examiner's answer and applicant responded by filing an amendment reopening prosecution on June 24, 2009. Since applicant opted to reopen prosecution, it is believed that the appropriate response is for the examiner to act on applicant's amendment. Instead, the Patent Office response appears to be the docketing of appeal number 2009-014382. Accordingly, it is appropriate to remand this application to the examiner to act on the amendment filed on June 24, 2009.

A remand is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Howard A. MacCord, Jr.', written over the typed name.

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